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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/434,640	11/05/1999	RICHARD S. TOMALEWICZ	99EC026/7676	4194

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EXAMINER
JONES, PRENELL P

ART UNIT	PAPER NUMBER
2667	6

DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/434,640	TOMALEWICZ, RICHARD S.	
	Examiner Prenell P Jones	Art Unit 2667	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 12 January 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 6,7,9-13,20,21,23-27 and 34-41 is/are allowed.
- 6) Claim(s) 1-5,8,14-19,22,28-33 and 42 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	6) <input type="checkbox"/> Other: _____.

Response to Arguments

1. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 15, 16, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pinder et al in view of Licher et al, Shaffer et al and Houde et al.

Regarding claim 1, 2, 15, 16, 29 and 30, Pinder discloses (Abstract, Figures 2, 4, 5, 6) a communication system that communicates emergency calls via radio communication which includes a subscriber unit operating within a first communication system wherein the subscriber sends a message to a second communication system, whereby the message includes information that identifies the source of the emergency call, (col. 3, line 24 thru col. 4, line 67) resource controller and emergency resource list for selecting recipients to handle emergency calls based on characteristics about the identified source. However, Pinder is silent on the environment of the call and a plurality of public services. In analogous art, Licher discloses an enhanced emergency service wherein (Abstract, col. 1, line 21 thru col. 2, line 49, col. 3, line 57 thru col. 4, line 65) the caller

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longitude/latitude is identified by a location detection device, geographic area served by a switching system that is divided into emergency service zones (ESZ), ANI number associated with each customer for identification, call is forwarded to selective router servicing specified emergency, and routers connected to a plurality of public services, routers assign multiple public services in a geographical area, ANI number mapped to emergency service zone, (col. 5, line 5 thru col. 6, line 44) identifying geographic area information (environment) before routing call to selective router, Shaffer discloses (col. 2, line 41-67, col. 7, line 28 thru col. 8, line 67, col. 10, line 15-67, col. 15, line 21 thru col. 16, line 67, col. 17, line 30 thru col. 18, line 48) intelligent processing system that includes various Master databases that include telephone numbers and associated data records such as street addresses and the servicing of 911 call (public safety), (col. 33, line 2-67) Internet services, packet processing/routing, and Houde discloses (Abstract, col. 2, line 32 thru col. 4, line 38) an emergency routing system associated in a mobile environment that selects from a plurality of public safety answering point services (PSAP). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have been motivated to implement determining the environment of a call as taught by Licher with the teachings of Pinder, Shaffer and Houde for the purpose of successful communication between 911 caller and 911 operator or resource which would result in successful handling of 911 call.

Regarding claims 8, 22 and 36, as indicated above, Shaffer discloses (col. 2, line 41-67, col. 7, line 28 thru col. 8, line 67, col. 10, line 15-67, col. 15, line 21 thru col. 16, line 67,

col. 17, line 30 thru col. 18, line 48) intelligent processing system that includes various Master databases that include telephone numbers and associated data records such as street addresses and the servicing of 911 call (public safety), (col. 33, line 2-67) Internet services, packet processing.

Regarding claims 14, 28, 39 and 42, Pinder discloses (Abstract, Figures 2, 4, 5, 6) a communication system that communicates emergency calls via radio communication which includes a subscriber unit operating within a first communication system wherein the subscriber sends a message to a second communication system, whereby the message includes information that identifies the source of the emergency call, (col. 3, line 24 thru col. 4, line 67) resource controller and emergency resource list for selecting recipients to handle emergency calls based on characteristics about the identified source. He further discloses (col. 4, line 13-56) if the preferred resources are unavailable that there exist secondary communication resources for handling the public safety calls.

4. Claims 3, 17 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pinder et al in view of Licher et al.

Regarding claims 3, 17 and 31, Pinder discloses (Abstract, Figures 2, 4, 5, 6) a communication system that communicates emergency calls via radio communication which includes a subscriber unit operating within a first communication system wherein

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the subscriber sends a message to a second communication system, whereby the message includes information that identifies the source of the emergency call, (col. 3, line 24 thru col. 4, line 67) resource controller and emergency resource list for selecting recipients to handle emergency calls based on characteristics about the identified source, and In analogous art, Licher discloses an enhanced emergency service wherein (Abstract, col. 1, line 21 thru col. 2, line 49, col. 3, line 57 thru col. 4, line 65) the caller longitude/latitude is identified by a location detection device, geographic area served by a switching system that is divided into emergency service zones (ESZ), ANI number associated with each customer for identification, call is forwarded to selective router servicing specified emergency, ANI number mapped to emergency service zone, (col. 5, line 5 thru col. 6, line 44) identifying geographic area information (environment) before routing call to selective router. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have been motivated to implement ANI as taught by Licher with the teachings of Pinder for the purpose of further managing the routing of incoming calls.

5. Claims 4, 5, 18, 19, 32, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pinder et al in view of Licher et al and Shaffer et al.

Regarding claims 4, 5, 18, 19, 32, and 33, Pinder discloses (Abstract, Figures 2, 4, 5, 6) a communication system that communicates emergency calls via radio communication which includes a subscriber unit operating within a first communication system wherein

the subscriber sends a message to a second communication system, whereby the message includes information that identifies the source of the emergency call, (col. 3, line 24 thru col. 4, line 67) resource controller and emergency resource list for selecting recipients to handle emergency calls based on characteristics about the identified source, Licher discloses an enhanced emergency service wherein (Abstract, col. 1, line 21 thru col. 2, line 49, col. 3, line 57 thru col. 4, line 65) the caller longitude/latitude is identified by a location detection device, geographic area served by a switching system that is divided into emergency service zones (ESZ), ANI number associated with each customer for identification, call is forwarded to selective router servicing specified emergency, ANI number mapped to emergency service zone, (col. 5, line 5 thru col. 6, line 44) identifying geographic area information (environment) before routing call to selective router. Pinder and Licher are silent on ANI information associated with a packet message, which is transmitted to a master street address database. In analogous art, Shaffer discloses (col. 2, line 41-67, col. 7, line 28 thru col. 8, line 67, col. 10, line 15-67, col. 15, line 21 thru col. 16, line 67, col. 17, line 30 thru col. 18, line 48) intelligent processing system that includes various Master databases that include telephone numbers and associated data records such as street addresses and the servicing of 911 call (public safety), (col. 33, line 2-67) Internet services, packet processing. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have been motivated to implement ANI information with a master street address data base as taught by Shaffer with the combined teachings of

Pinder and Licher for the purpose of further managing the handling/servicing of 911 emergency/safety calls.

Allowable Subject Matter

2. Claims 6, 7, 9-13, 20, 23-27 and 34-41 allowed over prior art.

The following is a statement of reasons for the indication of allowable subject matter:

As indicated in previous office action claims 6, 7, 9-13, 20, 23-27 and 34-41 contain allowable subject matter and would be allowed if re-written in independent form.

Applicant has amended claims 6, 7, 9-13, 20, 23-27 and 34-41, therefore claims 6, 7, 9-13, 20, 23-27 and 34-41 are in condition for allowance. Although the cited art teaches an enhanced emergency service wherein the caller longitude/latitude is identified by a location detection device, geographic area served by a switching system that is divided into emergency service zones (ESZ), ANI number associated with each customer for identification, call is forwarded to selective router servicing specified emergency, and routers connected to a plurality of public services, routers assign multiple public services in a geographical area, ANI number mapped to emergency service zone identifying geographic area information (environment) before routing call to selective router, intelligent processing system that includes various Master databases that include telephone numbers and associated data records such as street addresses and the servicing of 911 call (public safety), Internet services, packet processing/routing, and an emergency routing system associated in a mobile environment that selects from a plurality of public safety answering point services (PSAP) the neglect to teach/suggest an identifying resource further comprises a means for selecting a public service

attended position of the identified resource, determining the environment further comprising correlating the received public safety call with other received public safety calls from the environs of the determined geographic source, from an Internet connection further comprises means for detecting and decoding a geographical source of the packet message from a data field embedded with the packet, step of forwarding the call further includes forwarding an Internet address of the caller to the identified resource, the step of forwarding an Internet address of the caller to the identified resource further includes a request to form an Internet telephony voice connection with the public safety caller.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prenell P. Jones whose telephone number is 703-305-0630. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 703-305-4378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Prenell P. Jones



April 05, 2004

KWANG BIN YAO
PRIMARY EXAMINER

